

# **EXHIBIT 5**

# *Dean Skelos, New York Senate Leader, and His Son Are Said to Face Arrest Next Week*

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Dean G. Skelos, the leader of the New York State Senate, and his son are expected to be arrested on federal corruption charges next week, according to people with knowledge of the matter.

The expected arrests, coming roughly three months after federal bribery and kickback charges led Assemblyman Sheldon Silver to step down as speaker, would signal an extension of the investigation into allegations of political corruption in Albany, and would almost certainly further upend the legislative session.

It is not known if Mr. Skelos, a Republican from Long Island who was first elected to the Senate in 1984, will resign his leadership post as did Mr. Silver, a Manhattan Democrat, but he is sure to face questions about his ability to lead the chamber in light of his expected arrest.

The charges against Senator Skelos, 67, and his son, Adam, 32, are expected to be detailed in a criminal complaint and are likely to include conspiracy, extortion and solicitation of bribes, one of the people said. The charges could be announced as early as Monday.

The senator and his son have been at the center of a federal inquiry that has examined a range of matters, including the younger man's business dealings, according to people who are familiar with questions that have been asked by investigators.

All of the people who spoke to The New York Times about the investigation and the expected arrests did so on the condition of anonymity because of the delicate nature of the matter.

The prosecutors overseeing the investigation, from the office of Preet Bharara, the United States attorney for the Southern District of New York, have been presenting evidence to a grand jury for several weeks, some of the people have said.

A lawyer for Senator Skelos, G. Robert Gage Jr., met with the prosecutors on April 24, one of the people said. Mr. Gage and a spokesman for Mr. Bharara's office declined to comment.

A review of Adam Skelos's business dealings by The Times found he has been involved in a number of undertakings, and in recent years was employed by title insurance companies. Christopher P. Conniff, a lawyer for Mr. Skelos, was unavailable for comment on Friday.

Among the areas prosecutors have focused on is a contract that a small environmental company based in Arizona was awarded by Nassau County, Senator Skelos's political backyard, even though its proposal did not have the lowest price among those submitted to the county, some of the people have said.

The company, AbTech Industries, had hired Adam Skelos as a consultant. Prosecutors, some of the people said, have also focused on a \$20,000 payment that a title insurance company, American Land Services, made to Adam Skelos, even though he never worked for the company.

Federal authorities have been seeking to determine whether Senator Skelos exerted any influence in matters involving AbTech, some of the people have said. Investigators have also been reviewing whether AbTech's hiring of his son was part of a scheme in which the senator would in exchange take official action to benefit AbTech or another company, Glenwood Management, a politically influential real estate developer that has had ties to AbTech.

A spokesman for the Federal Bureau of Investigation, which worked on the inquiry along with investigators from the United States attorney's office, declined to comment.

It is perhaps a measure of the troubles in the capital that Senator Skelos's legal problems would hardly set him apart from some of his peers: Four men who held similar Senate leadership positions in recent years — three Democrats and one Republican — have all been the subject of federal indictments. Two were convicted, one had his conviction vacated on appeal and was later acquitted, and one is still awaiting trial.

Should Mr. Skelos, who has led the Senate Republican conference since 2008, step down, there is no clear successor.

Senator Thomas W. Libous, the second highest-ranking Republican in the chamber, might otherwise be the leading candidate to take over, but he is also under federal indictment, and fighting cancer. Mr. Libous, who represents the Binghamton area, is accused of lying to federal agents during a corruption investigation.